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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,865	03/23/2004	Lars Ingvarsson	HT-114	2690
Mark P. Stone 4th Floor 25 Third Street Stamford, CT 06905				
7550 02/12/2008				
EXAMINER				
CRANE, DANIEL C				
ART UNIT		PAPER NUMBER		
3725				
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02/12/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/806,865

Applicant(s)

INGVARSSON, LARS

Examiner

Daniel C. Crane

Art Unit

3725

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-19 and 21-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-19 and 21-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S5108)
Paper No(s)/Mail Date 01/22/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

COMMENTS

Applicant has filed a response to the Final Office Action, mailed December 10, 2007, on January 22, 2008 submitting amended claims and also supplying an Information Disclosure Statement. In light of the filing of the IDS with a pertinent reference, the finality of the Final Office Action is herein withdrawn and the indication of allowable subject matter made therein is also withdrawn.

REJECTION OF CLAIMS ON FORMAL MATTERS

Claims 12, 13, 14 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims are duplicative and it unclear what constitutes the clear line of distinction between the subject matter of these claims. Accordingly, claims 13 and 12 are duplicative of claims 14 and 24, respectively. Applicant is required to cancel the duplicative subject matter or amend the claims to distinguish the features between the claims.

REJECTION OF CLAIMS OVER PRIOR ART

Claims 12-19 and 21-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atsunori (Publication no. 11-047836) in view of Utashiro (3,355,922) or Olson (1,646,613). Applicant's attention is directed to all the Figures in Atsunori where the force and angle of the rollers between rollers 3 and 1 and rollers 4 and 1 in widthwise spaced rolling devices can be adjusted using a ball screw (see Figure 9 and paragraph [0023]) so as to thin the upstanding sides 12b and 12c of the workpiece 12 and impart a curvature to the workpiece. Atsunori does not

show that the rolling devices can be carried on a frame movable towards and away from one another so as to change the width of the workpiece. However, such a combined width/thickness changing feature and roller angle changing feature is well known in the art as evidenced by Utashiro where the rollers 15 and 16 can be adjusted towards and away from rollers 9-11 on a frame 2 and 3 while also changing the angle of the rollers 15 and 16 to thin the workpiece 13. This facilitates a combination of changing the distance between the rollers to accommodate a different thickness or width in workpiece and also allows for a change in the angle between the rollers. Similarly, Olson shows in Figures 1 and 4 a rolling device comprising a pair of rollers 88 and 86 and a rolling device comprising rollers 84 and 82 adjustable in a widthwise direction to accommodate different sized workpiece S. Additionally, each pair of rollers in each rolling device can be angularly adjusted about pivot 94. Thus, Olson envisions a widthwise adjustment to accommodate different sized widths of workpieces and an angular adjustment to vary the roller contact with the workpiece. Accordingly, it would have been obvious to the skilled artisan at the time of the invention to have modified Atsunori's bending apparatus by further providing a combined width changing feature and roller angle changing feature using the adjustable concepts taught by either Utashiro or to have provided an adjustable widthwise, spaced roller pairs and angular roller pair adjustment as taught by Olson for the above noted reasoning.

RESPONSE TO APPLICANT'S COMMENTS

Since applicant's response necessitated a new ground of rejection because of the citation of new, pertinent prior art, the Finality of the present Office Action is not deemed premature. No

comments are offered at this time since applicant has failed to fully address the applicability of the Atsunori teaching relative to the claims.

FINAL OFFICE ACTION

Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on January 22, 2008 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D. Crane whose telephone number is (571) 272-4516. The examiner's office hours are 7:00AM-3:30PM, Monday through Friday.

Documents related to the instant application may be submitted by facsimile transmission at all times to Fax number **(571) 273-8300**. Applicant(s) is(are) reminded to clearly mark any transmission as "DRAFT" if it is not to be considered as an official response. The Examiner's Fax number is **(571) 273-4516**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DCCrane
February 3, 2008

/Daniel C Crane/
Daniel C. Crane
Primary Patent Examiner
Group Art Unit 3725